

REMARKS

In furtherance of prosecution, Applicants have amended claims 1, 4, 6, 7, 8, 9, 16, 17 and 36. Claims 1, 4, 5, 6, 7, 8, 9, 16, 17, 18, 19 and 36 are pending in the application. Claims 2, 3, 10, 11, 12, 13, 14, 15, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 37, 38, 39, 40, 41, 42, 43, 44 and 45 have been canceled, without prejudice.

The Examiner asserts that this application must include a supplemental oath or declaration under 37 CFR §1.67 to properly identify the application of which it is to form a part, preferably by application number and filing date in the body of the oath or declaration, specifically to allow the inclusion of the phrase "consisting essentially of", which limiting language was not embraced in the original statement of the invention.

The Applicants maintain that the objection is overcome, by replacing each occasion of the phrase "consisting essentially of" with "comprising". Support for this amendment can be found in the specification at page 3, line 29.

The Examiner asserts that the new abstract of the disclosure is objected to because it contains idiomatic and grammatical informalities, is written in run-on fashion, and does not concisely summarize the inventive composition which is claimed, and furthermore it does not avoid phrases which may be implied, i.e. "Use is made ...".

The Applicants maintain that the objection is overcome, because the abstract has been rewritten.

The Examiner asserts that the disclosure is objected to because portions of the specification, which were contained in the old specification as page 3, line 32 and page 4, line 33 are written using terminology normally reserved for claims, i.e. comprising.

The Applicants maintain that the objection is respectfully traversed, in that terminology such as "comprising" is serving its purpose in a concise fashion. The transitional phrase "comprising" has a well established meaning in patent law (e.g., see M.P.E.P. 2111.03) and, therefore, is not normally reserved for claims. In fact, the term "comprising" used in the claims is routinely used, and therefore finds antecedent support, in the corresponding patent specification.

The Examiner objects to claim 41 under 37 CFR §1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim.

The Applicants maintain that the objection is overcome, by canceling claim 41.

The Examiner objects to claim 43 because “the poylmer” [claim 43, line 9] should be replaced by “the polymer”.

The Applicants maintain that the objection is overcome, by canceling claim 43.

The Examiner has rejected claims 36 to 42 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement, in that claim 36 as amended recites the composition as being “at thermally curable at temperatures above the melting point of solder of the solder bump”, which is not described in the originally filed specification as previously noted by the Examiner.

The Applicants maintain that the rejection is respectfully traversed, in that both the originally filed specification and the substitute specification do indeed describe this property, in the form of “which composition is thermally curable when the material of the solder bump is molten and in the presence of a catalyst for the crosslinking of the polymer”, which is found on page 4, line 30-31 of the substitute specification and page 5, lines 8-11 in the originally filed specification. The Applicants have cancelled claims 37 through 42.

The Examiner has rejected claims 1 through 45 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The Examiner cites several instances which still appear to be a literal translation into English from a foreign document, contain at least some grammatical and/or idiomatic informalities, are written in a run-on fashion and are generally narrative and indefinite, thus failing to conform with current U.S. practice. The Examiner notes that the claims also still contain numerous multiple alternative limitations which render the intended scopes of the respective claims indefinite.

The Applicants maintain that the objection is overcome because the claims have been rewritten in such a manner as to eliminate these problems from the document. Those limitations, which lend themselves to a Markush format, have been so rewritten. Other examples of

improper usages in the claims, as listed by the Examiner, have been made addressed by the cancellation of those claims containing them.

The Examiner has rejected claims 1 through 45 under 35 U.S.C. §102(b), as being anticipated by Capote et al. ('403), as best as they can be understood in view of the indefiniteness of the claims.

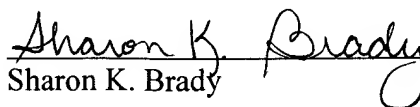
The Applicants maintain that the rejection is overcome because Capote et al. ('403) do not disclose the crosslinking agent of the present invention, which is selected from polyacids, polyanhydrides, and hydrazides. Capote et al. teaches chemically protected acids, i.e. anhydrides, amides, imides, amines, alcohols, phenols, aldehydes, ketones, nitro compounds, nitriles, carbamates, isocyanates, amino acids, peptides, thiols, sulfonamides, semicarbazones, oximes, hydrazones, cyanohydrins, ureas, phosphoric esters, phosphoric acids, thiophosphoric esters, thiophosphoric acids, phosphonic esters and phosphonic acids, phosphites and phosphonamides protected with carboxylic acids, amides, alcohols, alkyl halides, acid halides, thiols, ureas, alkyl silanes, diazoalkanes, and olefins, used in particular combination, not in any order.

The Applicants have withdrawn Example 7 from the specification as it was written, in that as written, it formed a duplicate of Example 2.

The Applicants have particularly pointed out and distinctly claimed the subject matter that they regard as their invention, and the instant invention is novel and unobvious. Reconsideration of the application is requested.

This reply is being submitted within the three month response period for response to the outstanding office action. Although the Applicants believe in good faith that no extensions of time are needed, the Applicants hereby petition for any necessary extensions of time. You are authorized to charge deposit account 04-1520 for any fees necessary to maintain the pendency of this application. You are authorized to make any additional copies of this sheet needed to accomplish the purposes provided for herein and to charge any fee for such copies to deposit account 04-1520.

Respectfully Submitted,
DOW CORNING CORPORATION


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